

Appl. No. 09/997,210
Amendment Dated July 12, 2004
Reply to Office Action of March 12, 2004

Attorney Docket No. 81872.0030
Customer No.: 26021

REMARKS/ARGUMENTS:

Claims 12 and 14 are amended. Claims 1-14 are pending in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

The present invention relates to a dielectric waveguide type filter and a dielectric waveguide type branching filter mainly used at high frequencies such as microwaves and millimeter waves and capable of being packaged in an inside of a multi-layered wiring substrate, a semiconductor package, transmitting and receiving module and the like. (Applicant's specification, at p. 1, lines 7-10).

CLAIM REJECTIONS UNDER 35 U.S.C. § 112:

Claim 12 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Office states, "Claim 12 recites 'a pair of main conductive layers, an upper and lower surface of a dielectric and a ground of conductive vias'." The Office then asks if these are the same layers, dielectric and conductive vias as recited in claim 11. In response, the Applicant amended claim 12 to indicate that the dielectric waveguide comprises a "second" pair of main conductive layers, a "second" dielectric, a "second" groups of conductive vias, and a "second" dielectric substrate. The Applicant's specification at p. 12, lines 4-10 states that it is preferable that the respective main conductive layers of the dielectric waveguide type filter and the common dielectric waveguide are formed in common. However, claims 11 and 12 do not recite this limitation. Further, Applicant has identified no other outstanding objection or rejection to claim 12. As such, allowance of claim 12 is respectfully requested.

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CLAIM REJECTIONS UNDER 35 U.S.C. § 102:

Claims 11 and 13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Uchimura JP411355010. The Applicant respectfully traverses this rejection. Claim 11 is as follows:

A dielectric waveguide type branching filter including a common dielectric waveguide and a dielectric waveguide type filter,

the dielectric waveguide type filter comprising a pair of main conductive layers holding an upper and a lower surfaces of a dielectric therebetween, and groups of conductive vias arranged in the direction of signal transmission with a space of a distance less than 1/2 of a signal wavelength between the conductive vias and penetrating parts near side walls of a dielectric substrate thus to connect the pair of the main conductive layers with each other.

Claim 11 contains a structure including a connection of a common dielectric waveguide 16 and dielectric waveguide type filters 17 and 18 as shown in Figs. 8 to 11.

This π -type structure is not recited in Uchimura et al. (JP 11-355010) or in any of the cited prior art references. Kitazawa et al. (JP 2003 133809) discloses this type of structure in Figure 4. However, the document was laid open on May 9, 2003, which is later than the filing date of the present application.

In light of the foregoing, Applicant respectfully submits that Uchimura could not have anticipated or rendered obvious claim 11, because Uchimura fails to teach or suggest each and every claim limitation. Claim 13 depends from claim 11 is allowable for at least the same reasons as claim 11. Withdrawal of this rejection is thus respectfully requested.

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ALLOWABLE SUBJECT MATTER:

The Office states, "Claim 14 is objected to as being dependent upon a rejected base claim, but would allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." In response, the Applicant rewrote claim 14 in the manner suggested by the Office. Withdrawal of this objection and allowance of claim 14 is thus respectfully requested.

Claims 1-10 are allowed.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

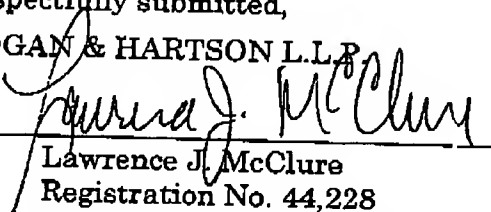
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6810 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

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